THE HON'BLE SRI JUSTICE P.S.NARAYANA

W.P.No. 15361 of 2006

DATED: 25-07-2006

Between:

Sonajoke Haridas.

..Petitioner.

and

The State Election Commission rep. by its Secretary,
Budhabhavan, Hyderabad and another.

..Respondents.

THE HON'BLE SRI JUSTICE P.S.NARAYANA

W.P.No.15361 of 2006

ORDER:

Heard the counsel.

This writ petition is filed for a writ of mandamus declaring the judgment vide Case No.G/5-GP Elec/2006, dated 22-07-2006 passed by the second respondent as illegal, arbitrary, unconstitutional and contrary to Section 19(3) of the Andhra Pradesh Panchayat Raj Act, 1994 and consequently declare the petitioner as eligible for contesting the election for the post of Sarpanch, ,Kumbehjhari village of Adilabad Mandal, Adilabad District, for the year 2006 and pass such other suitable orders.

The learned counsel for the petitioner states that the statutory disqualification of Section 19(3) of the Andhra Pradesh Panchayat Raj Act, 1994 is not applicable to the petitioner.

It is needless to say that this is a matter, which may have to be gone into at the appropriate stage and the writ petitioner is having a remedy by way of an election petition. Therefore, liberty is given to the petitioner to approach the competent Election Tribunal by way of an election petition.

With the above observation, the Writ Petition is disposed of. No order as to costs.

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P.S.NARAYANA,J

Dated:25-07-2006

sj